

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION**

Applicant(s): Torsten MÜLLER et al.

U.S. App. Serial No: 10/556,017

International App. No.: PCT/EP2004/004984

Filed: November 8, 2005

International Filing Date: May 10, 2004

Att. Docket No.: B1180/20045

Confirmation No.:

For: PARTICLE INJECTOR FOR A CELL SORTER

SUBMISSION OF DECLARATION

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants enclose a Declaration executed by the inventors to complete the filing requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).

The Declaration is compliant with 37 CFR 1.497(a) and (b), when read in conjunction with the Application Data Sheet filed November 8, 2005, which identifies the International Application Number (PCT/EP2004/004984) and International Filing Date (May 10, 2004). 37 CFR §§ 1.497(c) and 1.67.

The address of the inventor, Annette Pfennig, has been changed. Accordingly, we also enclose a new Application Data Sheet, to indicate that change.

As of this date, a Notification of Missing Requirements Under 35 U.S.C. 371 has not been received. Applicant respectfully requests that a Notice of Acceptance be issued.

Respectfully submitted,
CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

By



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January 23, 2006

Please charge or credit our Account No.
03-0075 as necessary to effect entry and/or
ensure consideration of this submission.

**DECLARATION (37 CFR 1.63) AND POWER OF ATTORNEY FOR UTILITY OR DESIGN
APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention: PARTICLE INJECTOR FOR A CELL SORTER

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- The attached application, or
 Application No. PCT/EP2004/004984, filed on May 10, 2004
 amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint the practitioners at **Customer No. 03000** as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith. Please change the correspondence address for the above-identified application to **Customer No. 03000**.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from **EVOTEC TECHNOLOGIES GMBH** as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

FULL NAME OF INVENTOR(S)

Inventor one: Torsten Müller Citizen of: Germany

Signature: T.M. Date: 24.11.05

Inventor two: Stefan Hummel Citizen of: Germany

Signature: S.H. Date: 3.11.05

Inventor three: Annette Pfennig Citizen of: Germany

Signature: A.Pfennig Date: 24.11.05

Inventor four: _____ Citizen of: _____

Signature: _____ Date: _____

Additional inventors are being named on _____ additional form(s) attached hereto.